



DEPARTMENT OF THE NAVY
NAVAL SUPPLY SYSTEMS COMMAND
5450 CARLISLE PIKE
PO BOX 2050
MECHANICSBURG PA 17055-0791

TELEPHONE NUMBER
COMMERCIAL
AUTOVON
IN REPLY REFER TO:
4200
Ser21C1/0042
PC00-10
23 Mar 00

From: Commander, Naval Supply Systems Command

Subj: CONFIDENTIAL FINANCIAL DISCLOSURE REPORT (OGE FORM 450)

Ref: (a) DOD 5500.7-R "Joint Ethics Regulation (JER)"

Encl: (1) General Counsel of the Navy Memo of 28 Sep 99

1. Reference (a) directs persons in certain billets/positions to annually file the OGE Form 450. The Honorable Stephen Preston, General Counsel of the Navy and the Designated Agency Ethics Official, signed a determination, enclosure (1), that excludes purchase cardholders who make annual purchases totaling less than the simplified acquisition threshold as defined in the Federal Acquisition Regulation (currently \$100,000) from the requirement to file the OGE 450.

2. This determination does not preclude individual supervisors from requiring purchase cardholders to file the OGE Form 450 when, in the supervisor's judgement, the subordinate has duties involving the exercise of significant independent judgement over matters that will have a substantial impact on the integrity of DON operations and relationships with non-federal entities. This determination does not apply to individuals who hold contracting officer warrants. Additionally, Certifying Officials for excluded purchase cardholders should file the OGE 450.

3. Point of contact regarding this policy letter is Mr. Paul Ziedins who can be reached at 717-605-2521 or via the internet at paul_ziedins@navsup.navy.mil.


EVA M. ROBINSON
By direction



GENERAL COUNSEL OF THE NAVY
WASHINGTON, D.C. 20350-1000

September 28, 1999

MEMORANDUM FOR DISTRIBUTION

Subj: DETERMINATION CONCERNING EXCLUSIONS FROM FILING THE
CONFIDENTIAL FINANCIAL DISCLOSURE REPORT (OGE 450)

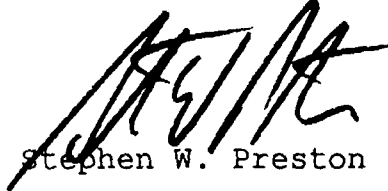
I have determined that more Department of the Navy (DON) officers, employees, and enlisted personnel are filing the Confidential Financial Disclosure Report (OGE Form 450), than is necessary to protect the integrity of DON programs. Supervisors are reminded that, when subordinates are unlikely to be involved in a real or apparent conflict of interest; when they are subject to a substantial degree of supervision; or when they exercise control over matters that would be inconsequential to DON integrity, they should not be required to file this disclosure report.

Exclusion from filing the OGE Form 450 is also appropriate when the employee only exercises control over matters that have a low dollar threshold. The Joint Ethics Regulation (JER), DOD 5500.7-R, section 7-300b.(2) has excluded those employees who control expenditures of less than \$20,000 cumulatively per year. In spite of this exclusion, a number of micro-purchasers are still required to file, even though they are subject to a high degree of supervision and do not have independent control of matters that are consequential to DON integrity.

Accordingly, pursuant to 5 C.F.R. § 2634.905 and JER Section 7-300b.(1), I have determined that micro-purchasers who make annual purchases totaling less than the simplified acquisition threshold, as defined in the Federal Acquisition Regulations (currently \$100,000), shall be excluded from filing the OGE Form 450. For this class of individuals, I have determined that a report is unnecessary because of the remoteness of any impairment to the integrity of the Federal Government.

This determination does not preclude individual supervisors from requiring subordinates to file the form when, in the supervisor's judgment, the subordinate has duties involving the exercise of significant independent judgment over matters that will have a substantial impact on the integrity of DON

operations and relationships with non-Federal entities. Further, this determination does not apply to individuals who hold contracting warrants or otherwise fall within the categories defined in 5 C.F.R. § 2634.904(a)(1) and JER § 7-300a. Certifying officers for the excluded micro-purchasers, however, should file the OGE Form 450. Finally, although this determination excludes this class of personnel from the filing requirement, these individuals remain subject to all statutory and regulatory conflict of interest restrictions (18 U.S.C. § 208 and 5 C.F.R. Part 2635, Subparts D, E, and F).



Stephen W. Preston